UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/773,943	JACOBY ET AL.
	Examiner	Art Unit
	Christopher B. Tokarczyk	3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 July 2010</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2 and 4-26</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2 and 4-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This action is in reply to the request for continued examination filed on July 2, 2010, and

the submission received on April 30, 2010.

2.   Claims 12 and 16 have been amended.

3.   Claim 3 has been canceled.

4.   Claims 1, 2, and 4-26 are pending.

Continued Examination Under 37 CFR 1.114

5.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been

timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR

1.114. Applicant's submission filed on April 30, 2010, has been entered.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

> 1.   Determining the scope and contents of the prior art.
> 2.   Ascertaining the differences between the prior art and the claims at issue.

> 3.   Resolving the level of ordinary skill in the pertinent art.
> 4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

8.   Claims 1, 2, and 4-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Holtz et al. (U.S. Patent Number 6,760,916) (hereinafter "Holtz"), in view of Gupta et al. (U.S.

Patent Number 7,111,009) (hereinafter Gupta), and further in view of Abecassis (U.S. Published

Patent Application 2001/0041053 A1) (hereinafter "Abecassis").

Holtz qualifies as prior art under 102(e) and includes a chain of CIP applications to an

earliest effective date of January 14, 2000. The parent application 09/634,735 filed August 8,

2000, which is also incorporated by reference in Holtz, has been relied upon previously in order

to demonstrate full support for the teachings used against the present claims and will continue to

be applied here. References to Holtz will refer to page and line number of the specification of

09/534,735 in this Office Action.

Claim 1: Holtz, as shown, discloses the following limitations:

in response to selection of a link in a browser at a user computer (see [70:8-22]:

> In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser

content), *building a frame set in a window of said browser, said frame set comprising a media*

player frame to experience content from a media player executing at said user computer (see

[72:11-19]:

> In one embodiment, information about the video show can be streamed to a web page by
> the broadcasting station directly from system 100. The information can include a
> schedule listing the contents and duration of the show, or data relative to a live segment
> or story that is currently being broadcasted. The data can be located on side panels or
> frames of the web page synchronized with the segment or story. Data is entered into
> system 100 and linked via the transition macro to the appropriate segment or story. As
> system 100 "steps" through the show from one segment to the next, the data changes in
> sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those

frames) *and a data frame* (see [72:11-19]: disclosing displaying information on side panels or

frames of the webpage. The data may displayed in a separate frame next to the video frame), *the*

link comprising streaming media content identification information (see [70:8-22]: disclosing the

server delivering the selected show based on the user making a selection by clicking on the icon.

In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier) *and a streaming advertisement parameter, said*

streaming advertisement parameter specifying a position of a streaming advertisement in a

content stream comprising said streaming media content;

> *in further response to the selection of the link, making, at said user computer, a request*

for a playlist to a source on a network, said request including the link's streaming media content

identification information (see [70:8-22]: disclosing the server delivering the selected show based

on the user making a selection by clicking on the icon. Clicking on the link is making the

request. In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is

identified by time codes and identification labels) *and the link's streaming advertisement*

parameter;

receiving said playlist at said user computer in response to said request (see [72:11-19]:

disclosing information about the video show can be streamed to a web page by the broadcasting

station directly from the system. This information can include a scheduling listing the contents

and duration of the show, or data relative to a live segment or story that is currently being

broadcasted. This information is the playlist that the user selected), *said playlist's contents*

comprising a reference identifying said streaming media content in accordance with the link's

streaming media content identification information (see [70:8-22]:

> In another embodiment, System 100 creates a "bin" play list for "on-demand" play out.
> Once user 2950 selects a show or segments of a show, the selected video clips (identified
> by time code 20 stamps and identification labels) are stored in the play out "bin" in the
> appropriate sequence as identified by user 2950. Once all of the segments are assembled
> in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin"

playlist defining the collection of desired clips in the specific order. Each clip/segment in the

collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser), *and said playlist or*

said content stream including an indicator that indicates when said streaming advertisement

should be played in relation to said streaming media content in said content stream (see [72:20-

30]:

> In one embodiment, the show script file includes links to dynamic and/or static
> advertisements. While a video show is being broadcasted over network 2910, the
> advertisements are streamed at specified intervals and durations with the video show. In
> an embodiment, the advertisements are located on the side panels of the same frame or
> window. In another embodiment, the advertisements 25 are streamed in separate frames.
> In another embodiment, the advertisements are streamed prior to the display of the related
> segment video. The advertisements can be stored as separate files on server 2905, and
> loaded, placed and played according to icon placements on the transition macro time
> sheet 299. The advertisements can provide a hyperlink directly to the web site for the
> sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The

content stream includes the streaming advertisements, which are an indication of their own

presence; see also [72:11-19]: disclosing information about the video show can be streamed to a

web page by the broadcasting station directly from the system. This information can include a

scheduling listing the contents and duration of the show, or data relative to a live segment or story

that is currently being broadcasted, and would include advertisement segment information)

accordance with the link's streaming advertisement parameter;

receiving, at said user computer, said streaming advertisement and said streaming media

content in accordance with said playlist's contents (see [70:23-71:10]: disclosing streaming the

media content to the user);

receiving HTML content related to said content stream in the browser window (see

[72:11-19]: disclosing sending data related to the streaming content to side panels or frames of

the webpage synchronized with the segment or story. The data displayed on a webpage is HTML

content. The HTML content is related to the content stream in the browser window); *and*

simultaneously playing said content stream in said media player frame and displaying

said HTML content in said data frame (see [72:11-19]: disclosing sending data related to the

streaming content to side panels or frames of the webpage synchronized with the segment or

story. The synchronized content is displayed simultaneously).

Although Holtz discloses the user building a playlist at the user's computer and the user

receiving both the playlist media content and information, including scheduling listing the

contents and duration of the show or data relative to a live segment or story that is currently being

broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in

order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

receiving said playlist at said user computer in response to said request (see [15:42-59]:

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation
identifiers being displayed to web browser 153 (or other multimedia presentation
application) in the order of their display, including the target identifier and temporal
range information. Thus, web browser 153 receives a list of multimedia segments that it

is to present to the user in a particular order. Web browser 153 then accesses media
server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal

range information is provided to the user's web browser; see also [16:14-27]:

> Web browser 153, knowing the duration of each of the segments being provided to client
> computer 15, forwards additional messages to media server 11 to continue with the
> provision of the next segment, according to the playlist, when appropriate. By managing
> the delivery of the media segments to client computer 15 in such a manner, web browser
> 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to provide the playlist to the web browser as taught by Gupta in the system

disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the

media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification

information, the request includes streaming media content identification information, and

delivering advertising content in accordance with specific indicators and at specific times (see

above), neither Holtz nor Gupta specifically disclose that the link contains a streaming

advertisement parameter that specifies a position of a streaming advertisement in the content

stream, the request includes streaming advertisement parameter, or the indicator indicates when

the said streaming advertisement should be played in accordance with the link's streaming

advertisement parameter.

However, Abecassis, as shown, teaches:

the link comprising streaming media content identification information and a streaming

advertisement parameter, said streaming advertisement parameter specifying a position of a

streaming advertisement in a content stream comprising said streaming media content (see

[0385]:

A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos);

said request including the link's streaming media content identification information and the link's streaming advertisement parameter (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); *and*

said playlist or said content stream including an indicator that indicates when said streaming advertisement should be played in relation to said streaming media content in said content stream accordance with the link's streaming advertisement parameter (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the

combination of Holtz and Gupta, because Abecassis teaches that a user may select video

advertisements to watch in order to reduce the charges incurred by the viewer in the selection of

other video services for which the viewer may incur a charge (see [0386]).

Claim 2: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein receiving HTML content related to said content stream includes providing the

HTML content in said data frame in response to execution of an embedded command in the

content stream (see [73:1-15]: disclosing embedding polling or opinion gathering technologies

directed to the content of a specific show segments. When a show is assembled for broadcast, the

appropriate poll is streamed at the designated interval with the related show segment. The

content stream includes the polling/opinion gathering technologies to be executed in the browser;

see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams), *wherein said*

HTML content is related to said content stream being experienced in said media player frame

(see [73:1-15]. The polling/opinion gathering technologies are related to the specific show

segments).

Claim 4: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

logging play of any advertisement on a server (see [74:11-20]: "The web page is

configurable to support monitoring and data logging to track web hits, advertisement hits, billing,

and costs." The web hits and advertisement hits, representing the playing of any advertisement,

are logged).

Claim 5: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

receiving an embedded script command in said content stream, the embedded script

command referencing said HTML content related to said content stream being experienced in

said media player frame (see [73:1-15]: disclosing embedding polling or opinion gathering

technologies directed to the content of a specific show segments. When a show is assembled for

broadcast, the appropriate poll is streamed at the designated interval with the related show

segment. The content stream includes the polling/opinion gathering technologies to be executed

in the browser; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams.

A URL hyperlink is a script command that, when executed by following it, directs the browser to

take an action, e.g., loading the linked page), *wherein said HTML content is stored at a remote*

server (see [73:1-15]. The server (a remote server) delivers the content, including that to be

executed by the browser).

> **Claim 6:** The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

> *wherein the indicator indicates that the streaming advertisement be played one of before,*

during or after the streaming media content is played (see [72:20-30]: "While a video show is

being broadcasted over network 2910, the advertisements are streamed at specified intervals and

durations with the video show." These specific intervals and durations can be played according

to the information on the transition macro time sheet. Playing the advertisements prior to the

display of the related video segment is also disclosed).

> **Claim 7:** The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

> *logging play of said streaming advertisement using said script command* (see [74:11-20]:

"The web page is configurable to support monitoring and data logging to track web hits,

advertisement hits, billing, and costs." The web hits and advertisement hits, even when called by

a script command, represent the playing of any advertisement and are logged).

> **Claim 8:** Holtz, as shown, discloses the following limitations:

> *in response to selection of a link in a browser at a user computer* (see [70:8-22]:

In an embodiment of the present invention, the Internet user 2950 can browse the web
page and select the entire show or segments from the show for "on-demand" viewing.
After user 2950 makes the selection by clicking on one or more icons, processing unit
102 for system 100 would load and execute the prerecorded show script file to feed the
video show over the Internet, or subscript files of selected segments to user 2950. In a
preferred embodiment, system 100 creates a network interface transition macro, retrieves
the time codes for the selected show segment(s) from the show script file, integrates the
time codes into the network interface transition macro, and executes the network
interface transition macro to feed the video to user 2950. In another embodiment, System
100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or
segments of a show, the selected video clips (identified by time code 20 stamps and
identification labels) are stored in the play out "bin" in the appropriate sequence as
identified by user 2950. Once all of the segments are assembled in the "bin" in the
appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser

content), *building a frame set in a window of said browser, said frame set comprising a media*

player frame to experience content from a media player executing at said user computer (see

[72:11-19]:

In one embodiment, information about the video show can be streamed to a web page by
the broadcasting station directly from system 100. The information can include a
schedule listing the contents and duration of the show, or data relative to a live segment
or story that is currently being broadcasted. The data can be located on side panels or
frames of the web page synchronized with the segment or story. Data is entered into
system 100 and linked via the transition macro to the appropriate segment or story. As
system 100 "steps" through the show from one segment to the next, the data changes in
sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those

frames) *and a data frame* (see [72:11-19]: disclosing displaying information on side panels or

frames of the webpage. The data may displayed in a separate frame next to the video frame), *the*

link comprising streaming media content identification information (see [70:8-22]: disclosing the

server delivering the selected show based on the user making a selection by clicking on the icon.

In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier) *and a streaming advertisement parameter, said*

streaming advertisement parameter specifying a position of a streaming advertisement in a

content stream comprising said streaming media content;

in further response to the selection of the link, making, at said user computer, a request

for a playlist to a source on a network, said request including the link's streaming media content

identification information (see [70:8-22]: disclosing the server delivering the selected show based

on the user making a selection by clicking on the icon. Clicking on the link is making the

request. In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier; see also [70:8-22]: each of the selected clips are

identified by time codes and identification labels) *and the link's streaming advertisement*

parameter;

receiving said playlist at said user computer in response to said request (see [72:11-19]:

disclosing information about the video show can be streamed to a web page by the broadcasting

station directly from the system. This information can include a scheduling listing the contents

and duration of the show, or data relative to a live segment or story that is currently being

broadcasted. This information is the playlist that the user selected), *said playlist's contents*

comprising a reference to said streaming media content in accordance with the link's streaming

media content identification information (see [70:8-22]:

> In another embodiment, System 100 creates a "bin" play list for "on-demand" play out.
> Once user 2950 selects a show or segments of a show, the selected video clips (identified
> by time code 20 stamps and identification labels) are stored in the play out "bin" in the
> appropriate sequence as identified by user 2950. Once all of the segments are assembled
> in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin"

playlist defining the collection of desired clips in the specific order. Each clip/segment in the

collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser), *and said playlist or*

said media content comprising an identifier identifying when said streaming advertisement

should be played in relation to said streaming media content in said content stream (see [72:20-

30]:

> In one embodiment, the show script file includes links to dynamic and/or static advertisements. While a video show is being broadcasted over network 2910, the advertisements are streamed at specified intervals and durations with the video show. In an embodiment, the advertisements are located on the side panels of the same frame or window. In another embodiment, the advertisements 25 are streamed in separate frames. In another embodiment, the advertisements are streamed prior to the display of the related segment video. The advertisements can be stored as separate files on server 2905, and loaded, placed and played according to icon placements on the transition macro time sheet 299. The advertisements can provide a hyperlink directly to the web site for the sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The

content stream includes the streaming advertisements, which are an indication of their own

presence; see also [72:11-19]: disclosing information about the video show can be streamed to a

web page by the broadcasting station directly from the system. This information can include a

scheduling listing the contents and duration of the show, or data relative to a live segment or story

that is currently being broadcasted, and would include advertisement segment information) *in*

accordance with the link's streaming advertisement parameter;

> *receiving, at said user computer, said streaming advertisement and streaming media*

content in accordance with said playlist's contents (see [70:23-71:10]: disclosing streaming the

media content to the user), *wherein said content stream includes one or more embedded*

commands that reference HTML content corresponding to said content stream (see [73:1-15]:

disclosing embedding polling or opinion gathering technologies directed to the content of a

specific show segments. When a show is assembled for broadcast, the appropriate poll is

streamed at the designated interval with the related show segment. The content stream includes

the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]:

disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script

command that, when executed by following it, directs the browser to take an action, e.g., loading

the linked page. Both the polling and linking correspond to the content stream);

playing said content stream on said media player (see [70:8-22]: disclosing playing the

video to the user);

executing said one or more embedded commands to retrieve the referenced HTML

content (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed

to the content of a specific show segments. When a show is assembled for broadcast, the

appropriate poll is streamed at the designated interval with the related show segment. The

content stream includes the polling/opinion gathering technologies to be executed in the

browser); *and*

displaying the retrieved HTML content in the data frame concurrently with the content

stream being experienced in said media player frame (see [72:11-19]: disclosing sending data

related to the streaming content to side panels or frames of the webpage synchronized with the

segment or story. The synchronized content is displayed concurrently).

Although Holtz discloses the user building a playlist at the user's computer and the user

receiving both the playlist media content and information, including scheduling listing the

contents and duration of the show or data relative to a live segment or story that is currently being

broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in

order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

receiving said playlist at said user computer in response to said request (see [15:42-59]:

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation
identifiers being displayed to web browser 153 (or other multimedia presentation
application) in the order of their display, including the target identifier and temporal
range information. Thus, web browser 153 receives a list of multimedia segments that it
is to present to the user in a particular order. Web browser 153 then accesses media
server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal

range information is provided to the user's web browser; see also [16:14-27]:

> Web browser 153, knowing the duration of each of the segments being provided to client
> computer 15, forwards additional messages to media server 11 to continue with the
> provision of the next segment, according to the playlist, when appropriate. By managing
> the delivery of the media segments to client computer 15 in such a manner, web browser
> 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to provide the playlist to the web browser as taught by Gupta in the system

disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the

media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification

information, the request includes streaming media content identification information, and

delivering advertising content in accordance with specific indicators and at specific times (see

above), neither Holtz nor Gupta specifically disclose that the link contains a streaming

advertisement parameter that specifies a position of a streaming advertisement in the content

stream, the request includes streaming advertisement parameter, or the indicator indicates when

the said streaming advertisement should be played in accordance with the link's streaming

advertisement parameter.

However, Abecassis, as shown, teaches:

the link comprising streaming media content identification information and a streaming

advertisement parameter, said streaming advertisement parameter specifying a position of a

streaming advertisement in a content stream comprising said streaming media content (see

[0385]:

> A random access pointcast architecture provides the means for a viewer to select and
> retrieve a desired advertisement, and provides the means to compensate the viewer for the
> verified apparent viewing of the advertisement. Such a system provides a closer match
> between the viewer's interest and the object of the advertisement, and further increases

the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos);

said request including the link's streaming media content identification information and the link's streaming advertisement parameter (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); *and*

said playlist or said content stream including an indicator that indicates when said streaming advertisement should be played in relation to said streaming media content in said content stream accordance with the link's streaming advertisement parameter (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video

advertisements to watch in order to reduce the charges incurred by the viewer in the selection of

other video services for which the viewer may incur a charge (see [0386]).

Claim 9: Holtz, as shown, discloses the following limitations:

in response to selection of a link in a browser at a user computer (see [70:8-22]:

> In an embodiment of the present invention, the Internet user 2950 can browse the web
> page and select the entire show or segments from the show for "on-demand" viewing.
> After user 2950 makes the selection by clicking on one or more icons, processing unit
> 102 for system 100 would load and execute the prerecorded show script file to feed the
> video show over the Internet, or subscript files of selected segments to user 2950. In a
> preferred embodiment, system 100 creates a network interface transition macro, retrieves
> the time codes for the selected show segment(s) from the show script file, integrates the
> time codes into the network interface transition macro, and executes the network
> interface transition macro to feed the video to user 2950. In another embodiment, System
> 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or
> segments of a show, the selected video clips (identified by time code 20 stamps and
> identification labels) are stored in the play out "bin" in the appropriate sequence as
> identified by user 2950. Once all of the segments are assembled in the "bin" in the
> appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser

content), *building a frame set in a window of said browser, the frame set including a media*

player frame (see [72:11-19]:

> In one embodiment, information about the video show can be streamed to a web page by
> the broadcasting station directly from system 100. The information can include a
> schedule listing the contents and duration of the show, or data relative to a live segment
> or story that is currently being broadcasted. The data can be located on side panels or
> frames of the web page synchronized with the segment or story. Data is entered into
> system 100 and linked via the transition macro to the appropriate segment or story. As
> system 100 "steps" through the show from one segment to the next, the data changes in
> sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those

frames) *and a data frame* (see [72:11-19]: disclosing displaying information on side panels or

frames of the webpage. The data may displayed in a separate frame next to the video frame), *the*

link comprising streaming media content identification information (see [70:8-22]: disclosing the

server delivering the selected show based on the user making a selection by clicking on the icon.

In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier) *and a streaming advertisement parameter, said*

streaming advertisement parameter specifying a position for playing a streaming advertisement

in a content stream comprising said streaming media content, said position being an intermediate

point when said streaming advertisement is to be played in relation to said streaming media

content in said content stream;

in further response to said selection of the link, making, at said user computer, a request

for a playlist to a source on a network, said request including the link's streaming media content

identification information (see [70:8-22]: disclosing the server delivering the selected show based

on the user making a selection by clicking on the icon. Clicking on the link is making the

request. In order for the server to deliver the appropriate show or content, the link must include

information about the show requested. This information used to identify the particular show or

content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is

identified by time codes and identification labels) *and the link's streaming advertisement*

parameter;

receiving said playlist at said user computer in response to said request (see [72:11-19]:

disclosing information about the video show can be streamed to a web page by the broadcasting

station directly from the system. This information can include a scheduling listing the contents

and duration of the show, or data relative to a live segment or story that is currently being

broadcasted. This information is the playlist that the user selected), *said playlist's contents*

comprising a reference identifying said streaming media content in accordance with the link's

streaming media content identification information (see [70:8-22]:

> In another embodiment, System 100 creates a "bin" play list for "on-demand" play out.
> Once user 2950 selects a show or segments of a show, the selected video clips (identified
> by time code 20 stamps and identification labels) are stored in the play out "bin" in the
> appropriate sequence as identified by user 2950. Once all of the segments are assembled
> in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin"

playlist defining the collection of desired clips in the specific order. Each clip/segment in the

collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser), *and said content*

stream including an indicator that indicates said intermediate point (see [72:20-30]:

> In one embodiment, the show script file includes links to dynamic and/or static
> advertisements. While a video show is being broadcasted over network 2910, the
> advertisements are streamed at specified intervals and durations with the video show. In
> an embodiment, the advertisements are located on the side panels of the same frame or
> window. In another embodiment, the advertisements 25 are streamed in separate frames.
> In another embodiment, the advertisements are streamed prior to the display of the related
> segment video. The advertisements can be stored as separate files on server 2905, and
> loaded, placed and played according to icon placements on the transition macro time
> sheet 299. The advertisements can provide a hyperlink directly to the web site for the
> sponsor of 30 the advertisement.

Advertisements may be streamed at specified intervals and durations with the video show. The

content stream includes the streaming advertisements, which are an indication of their own

presence; see also [72:11-19]: disclosing information about the video show can be streamed to a

web page by the broadcasting station directly from the system. This information can include a

scheduling listing the contents and duration of the show, or data relative to a live segment or story

that is currently being broadcasted, and would include advertisement segment information) *in*

accordance with the link's streaming advertisement parameter;

receiving, at said user computer, said streaming advertisement and said streaming media

content in accordance with said playlist's contents (see [70:23-71:10]: disclosing streaming the

media content to the user);

receiving HTML content related to the streaming content to the browser (see [72:11-19]:

disclosing sending data related to the streaming content to side panels or frames of the webpage

synchronized with the segment or story. The data displayed on a webpage is HTML content.

The HTML content is related to the content stream in the browser window);

simultaneously playing said content stream in said media player frame and displaying

said HTML content in the data frame (see [72:11-19]: disclosing sending data related to the

streaming content to side panels or frames of the webpage synchronized with the segment or

story. The synchronized content is displayed simultaneously).

Although Holtz discloses the user building a playlist at the user's computer and the user

receiving both the playlist media content and information, including scheduling listing the

contents and duration of the show or data relative to a live segment or story that is currently being

broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in

order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

receiving said playlist at said user computer in response to said request (see [15:42-59]:

> Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation
> identifiers being displayed to web browser 153 (or other multimedia presentation
> application) in the order of their display, including the target identifier and temporal
> range information. Thus, web browser 153 receives a list of multimedia segments that it
> is to present to the user in a particular order. Web browser 153 then accesses media
> server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal

range information is provided to the user's web browser; see also [16:14-27]:

> Web browser 153, knowing the duration of each of the segments being provided to client
> computer 15, forwards additional messages to media server 11 to continue with the
> provision of the next segment, according to the playlist, when appropriate. By managing
> the delivery of the media segments to client computer 15 in such a manner, web browser
> 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to provide the playlist to the web browser as taught by Gupta in the system

disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the

media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and delivering advertising content in accordance with specific indicators and at specific times (see above), neither Holtz nor Gupta specifically disclose that the link contains a streaming advertisement parameter that specifies a position of a streaming advertisement in the content stream, the request includes streaming advertisement parameter, the advertisement position being an intermediate point when the streaming advertisement is to be played, or the indicator indicates when the said streaming advertisement should be played in accordance with the link's streaming advertisement parameter.

However, Abecassis, as shown, teaches:

the link comprising streaming media content identification information and a streaming advertisement parameter, said streaming advertisement parameter specifying a position of a streaming advertisement in a content stream comprising said streaming media content, said position being an intermediate point when said streaming advertisement is to be played in relation to said streaming media content in said content stream (see [0385]:

> A random access pointcast architecture provides the means for a viewer to select and retrieve a desired advertisement, and provides the means to compensate the viewer for the verified apparent viewing of the advertisement. Such a system provides a closer match between the viewer's interest and the object of the advertisement, and further increases the potential purchase by the viewer of the promoted product or service, than a system directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted

when the user send the playlist to the server to retrieve the videos. When the advertisement is inserted between other videos, it is inserted in an intermediate point);

said request including the link's streaming media content identification information and the link's streaming advertisement parameter (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream); and

said content stream including an indicator that indicates said intermediate point in accordance with the link's streaming advertisement parameter (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence. Further, they are delivered in accordance to the placement information of the time codes).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when selecting videos and creating a playlist in the video distribution system disclosed by the combination of Holtz and Gupta, because Abecassis teaches that a user may select video advertisements to watch in order to reduce the charges incurred by the viewer in the selection of other video services for which the viewer may incur a charge (see [0386]).

Claim 10: The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein receiving HTML content includes providing the HTML content to said data frame in response to execution of an embedded command in the content stream (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes

the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]:

disclosing inserting URL hyperlinks into the media streams), *wherein said HTML content is*

related to the content stream playing in said media player frame (see [73:1-15]. The

polling/opinion gathering technologies are related to the specific show segments).

 Claim 11: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

 wherein receiving the HTML content includes causing a script command embedded in the

content stream that references said HTML content to be executed (see [73:1-15]: disclosing

embedding polling or opinion gathering technologies directed to the content of a specific show

segments. When a show is assembled for broadcast, the appropriate poll is streamed at the

designated interval with the related show segment. The content stream includes the

polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]:

disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script

command that, when executed by following it, directs the browser to take an action, e.g., loading

the linked page), *wherein said HTML content is stored at a remote server* (see [73:1-15]. The

server (a remote server) delivers the content, including that to be executed by the browser).

 Claim 12: Holtz, as shown, discloses the following limitations:

providing, by a computer, a link (see [70:8-22]:

> In an embodiment of the present invention, the Internet user 2950 can browse the web
> page and select the entire show or segments from the show for "on-demand" viewing.
> After user 2950 makes the selection by clicking on one or more icons, processing unit
> 102 for system 100 would load and execute the prerecorded show script file to feed the
> video show over the Internet, or subscript files of selected segments to user 2950. In a
> preferred embodiment, system 100 creates a network interface transition macro, retrieves
> the time codes for the selected show segment(s) from the show script file, integrates the
> time codes into the network interface transition macro, and executes the network
> interface transition macro to feed the video to user 2950. In another embodiment, System
> 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or
> segments of a show, the selected video clips (identified by time code 20 stamps and
> identification labels) are stored in the play out "bin" in the appropriate sequence as
> identified by user 2950. Once all of the segments are assembled in the "bin" in the
> appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser

content. The server (computer) provides the link on the webpage), *the link comprising streaming*

content identification information (see [70:8-22]: disclosing the server delivering the selected

show based on the user making a selection by clicking on the icon. In order for the server to

deliver the appropriate show or content, the link must include information about the show

requested. This information used to identify the particular show or content is a streaming media

content identifier) *and an advertisement placement parameter, the advertisement placement*

parameter specifying a timing for playing a streaming advertisement in a content stream and

specifying which of a playlist and said content stream is to include an indicator of the timing;

> *receiving, by the computer, a request for a playlist from a user computer, said request*

including the link's streaming content identification information (see [70:8-22]: disclosing the

server delivering the selected show based on the user making a selection by clicking on the icon.

Clicking on the link is making the request. In order for the server to deliver the appropriate show

or content, the link must include information about the show requested. This information used to

identify the particular show or content is a streaming media content identifier; see also [70:8-22]:

each of the selected clips are identified by time codes and identification labels) *and advertisement*

placement parameter;

> *building, by the computer, a playlist, the playlist's contents comprising a reference*

identifying streaming content in accordance with the link's streaming content identification

information (see [70:8-22]:

> > In another embodiment, System 100 creates a "bin" play list for "on-demand" play out.
> > Once user 2950 selects a show or segments of a show, the selected video clips (identified
> > by time code 20 stamps and identification labels) are stored in the play out "bin" in the
> > appropriate sequence as identified by user 2950. Once all of the segments are assembled
> > in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates (builds) a

"bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in

the collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser), *the link's advertisement*

placement parameter included in said request being used to determine which of said playlist and

said content stream includes said timing indicator; and

transmitting, by the computer, the playlist to said user computer (see [72:11-19]:

disclosing information about the video show can be streamed to a web page by the broadcasting

station directly from the system. This information can include a scheduling listing the contents

and duration of the show, or data relative to a live segment or story that is currently being

broadcasted. This information is the playlist that the user selected; see also [70:8-22]: disclosing

play out of the assembled segments, i.e., the streaming media, at the user's computer).

Although Holtz discloses the user building a playlist at the user's computer and the user

receiving both the playlist media content and information, including scheduling listing the

contents and duration of the show or data relative to a live segment or story that is currently being

broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in

order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

receiving said playlist at said user computer in response to said request (see [15:42-59]:

Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation
identifiers being displayed to web browser 153 (or other multimedia presentation
application) in the order of their display, including the target identifier and temporal
range information. Thus, web browser 153 receives a list of multimedia segments that it
is to present to the user in a particular order. Web browser 153 then accesses media
server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal

range information is provided to the user's web browser; see also [16:14-27]:

Web browser 153, knowing the duration of each of the segments being provided to client
computer 15, forwards additional messages to media server 11 to continue with the
provision of the next segment, according to the playlist, when appropriate. By managing

the delivery of the media segments to client computer 15 in such a manner, web browser
153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the
invention was made to provide the playlist to the web browser as taught by Gupta in the system
disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the
media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification
information, the request includes streaming media content identification information, and
delivering advertising content in accordance with specific indicators and at specific times (see
above), neither Holtz nor Gupta specifically disclose that the link contains an advertisement
placement parameter that specifies a position of a streaming advertisement in the content stream
or specifies which of a playlist and content stream is to include an indicator of the timing, the
request includes an advertisement placement parameter, or the link's advertisement placement
parameter included in said request is used to determine which of said playlist and said content
stream includes said timing indicator.

However, Abecassis, as shown, teaches:

the link comprising streaming media content identification information and an

advertisement placement parameter, the advertisement placement parameter specifying a timing

for playing a streaming advertisement in a content stream and specifying which of a playlist and

said content stream is to include an indicator of the timing (see [0385]:

> A random access pointcast architecture provides the means for a viewer to select and
> retrieve a desired advertisement, and provides the means to compensate the viewer for the
> verified apparent viewing of the advertisement. Such a system provides a closer match
> between the viewer's interest and the object of the advertisement, and further increases
> the potential purchase by the viewer of the promoted product or service, than a system
> directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see also [0383]: disclosing that any aspect of the invention that applies to video also applies to advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user creates a playlist by selecting a series of show segments or clips. The clips are identified by time code stamps and identification labels. When these segments/clips are advertisements, each advertisement will also have time code stamps (a streaming advertisement parameter) and identification labels (stream media content identification information), which are also transmitted when the user send the playlist to the server to retrieve the videos. The link specifies the playlist and content stream in which the advertisements and to be delivered. As a part of the link, the advertisement parameter also specifies the playlist and content stream in which the advertisements and to be delivered);

said request including the link's streaming media content identification information and the advertisement placement parameter (as discussed above, each of the selected clips, including the advertisements, is identified by time codes and identification labels. The request includes this information because they identify the content and placement in the delivered video stream)*; and*

building, by the computer, a playlist, the playlist's contents comprising a reference identifying streaming content in accordance with the link's streaming content identification information, the link's advertisement placement parameter included in said request being used to determine which of said playlist and said content stream includes said timing indicator (as discussed above, the content stream includes the streaming videos and advertisements, which are indications of their own presence, are delivered in accordance to the placement information of the time codes. Further, the inclusion of the placement parameter indicates that the content is to go into the requested content stream related to the current playlist).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made allow the user to select advertisements, as taught by Abecassis, when

selecting videos and creating a playlist in the video distribution system disclosed by the

combination of Holtz and Gupta, because Abecassis teaches that a user may select video

advertisements to watch in order to reduce the charges incurred by the viewer in the selection of

other video services for which the viewer may incur a charge (see [0386]).

Claim 13: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the request comprises information to identify a storage location of information

for configuring a frame set (see [70:8-22]:

> In an embodiment of the present invention, the Internet user 2950 can browse the web
> page and select the entire show or segments from the show for "on-demand" viewing.
> After user 2950 makes the selection by clicking on one or more icons, processing unit
> 102 for system 100 would load and execute the prerecorded show script file to feed the
> video show over the Internet, or subscript files of selected segments to user 2950.

The frame content, e.g., a requested video, is the information for configuring a frame set. The

request includes which shows have been selected, and the system uses this information to load the

requested videos. Loading the correct videos requires identifying the correct videos and where

they are stored in order to deliver them), *which comprises a media player* (see [72:11-19]:

> In one embodiment, information about the video show can be streamed to a web page by
> the broadcasting station directly from system 100. The information can include a
> schedule listing the contents and duration of the show, or data relative to a live segment
> or story that is currently being broadcasted. The data can be located on side panels or
> frames of the web page synchronized with the segment or story. Data is entered into
> system 100 and linked via the transition macro to the appropriate segment or story. As
> system 100 "steps" through the show from one segment to the next, the data changes in
> sync with the segment as assembled on the transition macro.

The video is streamed to a webpage having multiple frames. The video is played in one of those

frames) *and a data frame* (see [72:11-19]: disclosing displaying information on side panels or

frames of the webpage. The data may displayed in a separate frame next to the video frame), *on*

said user computer.

Claim 14: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

in response to a request from the user computer, transmitting said content stream to said user computer (see [70:23-71:10]: disclosing streaming the media content to the user)*; and*

providing HTML content related to the content stream to the user computer (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story. The data displayed on a webpage is HTML content. The HTML content is related to the content stream in the browser window)*, wherein display of the HTML content is synchronized with playback of the content stream at the user computer* (see [72:11-19]: disclosing sending data related to the streaming content to side panels or frames of the webpage synchronized with the segment or story).

Claim 15: The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

embedding a script command in the content stream, wherein the script command references the HTML content (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser; see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams. A URL hyperlink is a script command that, when executed by following it, directs the browser to take an action, e.g., loading the linked page).

Claim 16: Holtz, as shown, discloses the following limitations:

providing, by a computer, a link (see [70:8-22]:

> In an embodiment of the present invention, the Internet user 2950 can browse the web page and select the entire show or segments from the show for "on-demand" viewing. After user 2950 makes the selection by clicking on one or more icons, processing unit 102 for system 100 would load and execute the prerecorded show script file to feed the video show over the Internet, or subscript files of selected segments to user 2950. In a preferred embodiment, system 100 creates a network interface transition macro, retrieves the time codes for the selected show segment(s) from the show script file, integrates the time codes into the network interface transition macro, and executes the network

interface transition macro to feed the video to user 2950. In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

Clicking on an icon on a webpage is selecting a link in a browser and triggers loading the browser content. The server (computer) provides the link on the webpage), *the link comprising a streaming content identification information* (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier) *and advertisement placement information identifying a timing for output of an advertisement relative to the streaming content;*

receiving, by the computer, a request for a playlist from a user computer, the request including the link's streaming content identification information (see [70:8-22]: disclosing the server delivering the selected show based on the user making a selection by clicking on the icon. Clicking on the link is making the request. In order for the server to deliver the appropriate show or content, the link must include information about the show requested. This information used to identify the particular show or content is a streaming media content identifier; see also [70:8-22]: each of the selected clips are identified by time codes and identification labels) *and the link's advertisement placement information;*

building, by the computer, a playlist using the link's streaming content identification information and the link's advertisement placement information such that the playlist includes a reference to streaming content (see [70:8-22]:

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates (builds) a

"bin" playlist defining the collection of desired clips in the specific order. Each clip/segment in

the collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser), *which streaming*

content has at least one embedded command in accordance with the link's advertisement

placement information, the at least one embedded command including advertisement

identification information to be processed as the streaming content is being experienced at said

user computer (see [73:1-15]: disclosing embedding polling or opinion gathering technologies

directed to the content of a specific show segments. When a show is assembled for broadcast, the

appropriate poll is streamed at the designated interval with the related show segment. The

content stream includes the polling/opinion gathering technologies to be executed in the browser;

see also [73:16-24]: disclosing inserting URL hyperlinks into the media streams. A URL

hyperlink is a script command that, when executed by following it, directs the browser to take an

action, e.g., loading the linked page. Both the polling and linking correspond to the content

stream), *the at least one embedded command identifying the timing for output of the*

advertisement relative to the streaming content (see [73:1-15]: disclosing embedding polling or

opinion gathering technologies directed to the content of a specific show segments. When a show

is assembled for broadcast, the appropriate poll is streamed at the designated interval with the

related show segment; see also [73:16:24]: disclosing integrating URL hyperlinks into the media

streams. These are inserted relative to show segments, which are determined by the timing

information) *in accordance with the link's advertisement placement information; and*

> *transmitting, by the computer, the playlist to the user computer* (see [72:11-19]:

disclosing information about the video show can be streamed to a web page by the broadcasting

station directly from the system. This information can include a scheduling listing the contents

and duration of the show, or data relative to a live segment or story that is currently being broadcasted. This information is the playlist that the user selected; see also [70:8-22]: disclosing play out of the assembled segments, i.e., the streaming media, at the user's computer).

Although Holtz discloses the user building a playlist at the user's computer and the user receiving both the playlist media content and information, including scheduling listing the contents and duration of the show or data relative to a live segment or story that is currently being broadcasted, Holtz does not specifically disclose the user's browser receiving a playlist file in order to accomplish the streaming delivery of the customized sequence of media segments.

However, Gupta, as shown, discloses the following limitations:

receiving said playlist at said user computer in response to said request (see [15:42-59]:

> Upon selection of the play option, interface 150 of FIG. 3 provides the list of annotation identifiers being displayed to web browser 153 (or other multimedia presentation application) in the order of their display, including the target identifier and temporal range information. Thus, web browser 153 receives a list of multimedia segments that it is to present to the user in a particular order. Web browser 153 then accesses media server 11 to stream the multimedia segments to client 15 for presentation in that order.

The list of annotation identifiers (the playlist) with corresponding target identifier and temporal range information is provided to the user's web browser; see also [16:14-27]:

> Web browser 153, knowing the duration of each of the segments being provided to client computer 15, forwards additional messages to media server 11 to continue with the provision of the next segment, according to the playlist, when appropriate. By managing the delivery of the media segments to client computer 15 in such a manner, web browser 153 can keep the media segments being provided to the user in a seamless manner.

The playlist is used to ensure continuous play).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the playlist to the web browser as taught by Gupta in the system disclosed by Holtz, because Gupta teaches that using the playlist in this manner can keep the media segments being provided to the user in a seamless manner (see [16:14-27]).

Although Holtz discloses the link comprises streaming media content identification information, the request includes streaming media content identification information, and

delivering advertising content in accordance with specific indicators and at specific times (see

above), neither Holtz nor Gupta specifically disclose that the link contains an advertisement

placement information identifying a timing for output of an advertisement relative to the

streaming content, the request includes an advertisement placement parameter, or the embedded

commands are inserted in accordance with the advertisement placement information.

However, Abecassis, as shown, teaches:

the link comprising streaming media content identification information and

advertisement placement information identifying a timing for output of an advertisement relative

to the streaming content (see [0385]:

> A random access pointcast architecture provides the means for a viewer to select and
> retrieve a desired advertisement, and provides the means to compensate the viewer for the
> verified apparent viewing of the advertisement. Such a system provides a closer match
> between the viewer's interest and the object of the advertisement, and further increases
> the potential purchase by the viewer of the promoted product or service, than a system
> directed to an inclusion/exclusion determination.

In the content on demand system, the viewer can select and retrieve desired advertisements; see

also [0383]: disclosing that any aspect of the invention that applies to video also applies to

advertisements. As discussed above Holtz discloses a system (see [70:8-22]) in which a user

creates a playlist by selecting a series of show segments or clips. The clips are identified by time

code stamps and identification labels. When these segments/clips are advertisements, each

advertisement will also have time code stamps (a streaming advertisement parameter) and

identification labels (stream media content identification information), which are also transmitted

when the user send the playlist to the server to retrieve the videos)*;*

said request including the link's streaming media content identification information and

the link's advertisement placement information (as discussed above, each of the selected clips,

including the advertisements, is identified by time codes and identification labels. The request

includes this information because they identify the content and placement in the delivered video

stream)*; and*

building, by the computer, a playlist using the link's streaming content identification

information and the link's advertisement placement information such that the playlist includes a

reference to streaming content, which streaming content has at least one embedded command in

accordance with the link's advertisement placement information (as discussed above, each of the

selected clips, including the advertisements, is identified by time codes and identification labels.

The request includes this information because they identify the content and placement in the

delivered video stream. Embedded commands inserted into the stream that correspond to show

segments would also correspond to show segments that are advertisements), *the at least one*

embedded command including advertisement identification information to be processed as the

streaming content is being experienced at said user computer, the at least one embedded

command identifying the timing for output of the advertisement relative to the streaming content

in accordance with the link's advertisement placement information (as discussed above, the

embedded commands inserted into the stream that correspond to show segments would also

correspond to show segments that are advertisements. Their places in the content stream

identifying the timing for their output).

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made allow the user to select advertisements, as taught by Abecassis, when

selecting videos and creating a playlist in the video distribution system disclosed by the

combination of Holtz and Gupta, because Abecassis teaches that a user may select video

advertisements to watch in order to reduce the charges incurred by the viewer in the selection of

other video services for which the viewer may incur a charge (see [0386]).

Claim 17: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the advertisement identification information of the command embedded in the

streaming content comprises information to identify streaming advertisement content to be played

at said user computer (see [73:16-23]: disclosing displaying supporting hyperlinks into the media streams related to the content of a specific show segment. A link related to an advertising segment is part of the advertisement. It identifies itself, which is displayed when the advertisement segment is displayed).

Claim 18: The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

logging a play of said streaming advertisement content (see [74:11-20]: "The web page is configurable to support monitoring and data logging to track web hits, advertisement hits, billing, and costs." The web hits and advertisement hits, representing the playing of any advertisement, are logged).

Claim 19: The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

said advertisement identification information including non-streaming content identification information to be processed as the streaming content is being experienced at said user computer, the non-streaming content identification information of the command embedded in the streaming content is used to identify HTML content to be displayed while said streaming content is being experienced at said user computer (see [73:1-15]: disclosing embedding polling or opinion gathering technologies directed to the content of a specific show segments. When a show is assembled for broadcast, the appropriate poll is streamed at the designated interval with the related show segment. The content stream includes the polling/opinion gathering technologies to be executed in the browser. An HTML page, once displayed in the data frame, is non-streaming content).

Claim 20: The combination of Holtz, Gupta, and Abecassis discloses the limitations shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the HTML content is displayed in a data frame of a browser window at said user

computer while said streaming content is being experienced in a media frame of said browser

window (see [72:11-19]: disclosing sending data related to the streaming content to side panels or

frames of the webpage synchronized with the segment or story. The synchronized content is

displayed in side-panels or other frames while the content is displayed in the media-playing

frame).

Claim 21: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the streaming content has two embedded commands, the first embedded

command identifies first HTML content and the second embedded command identifies second

HTML content (see [73:1-15]: disclosing creating specific pools, surveys, and the like for specific

show segments; see also [73:16-24]: disclosing displaying hyperlinks. The multiple data

gathering technologies and the multiple hyperlinks are each indicative of sending more than one

command).

Claim 22: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein said second HTML content is default HTML content, and said second embedded

command is used to display said default HTML content after said first HTML content is displayed

("Default HTML content" is interpreted as the content chosen to be displayed. As discussed

above regarding claim 21, multiple HTML contents are displayed. The second HTML content

corresponding to a second command and second segment are displayed after the first command

and first segment).

Claim 23: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the request includes advertisement selection information, the method further

comprising: selecting streaming advertisement content using the advertisement selection

information included in the request (see [70:8-22]: disclosing the server delivering the selected

show based on the user making a selection by clicking on the icon. Clicking on the link is

making the request. In order for the server to deliver the appropriate show or content, which may

be a video advertisement, the link must include information about the show requested, i.e.,

advertisement selection information. This information used to identify the particular show or

content is a streaming media content identifier; see also [70:8-22]: each of the selected clips is

identified by time codes and identification labels).

Claim 24: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

including a reference to the selected streaming advertisement content in the playlist (see

[70:8-22]: disclosing the server delivering the selected show based on the user making a selection

by clicking on the icon. Clicking on the link is making the request. In order for the server to

deliver the appropriate show or content, which may be a video advertisement, the link must

include information about the show requested, i.e., advertisement selection information. This

information used to identify the particular show or content is a streaming media content identifier;

see also [70:8-22]: each of the selected clips is identified by time codes and identification labels;

All of this information is included in the playlist).

Claim 25: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

modifying the streaming content to include the embedded command and the

advertisement identification information to identify the selected streaming advertisement content

(see [70:8-22]:

> In another embodiment, System 100 creates a "bin" play list for "on-demand" play out.
> Once user 2950 selects a show or segments of a show, the selected video clips (identified

by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin"

playlist defining the collection of desired clips in the specific order. Each clip/segment in the

collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser. The streaming content

is modified when it is built).

Claim 26: The combination of Holtz, Gupta, and Abecassis discloses the limitations

shown in the rejection above. Further, Holtz, as shown, discloses the following limitations:

wherein the advertisement selection information comprises duration information (see

[70:8-22]:

In another embodiment, System 100 creates a "bin" play list for "on-demand" play out. Once user 2950 selects a show or segments of a show, the selected video clips (identified by time code 20 stamps and identification labels) are stored in the play out "bin" in the appropriate sequence as identified by user 2950. Once all of the segments are assembled in the "bin" in the appropriate order, play out begins for viewing by user 2950.

The user selects a set of desired media clips in a certain order, and the system creates a "bin"

playlist defining the collection of desired clips in the specific order. Each clip/segment in the

collection represented by the playlist is identified, i.e., referenced, by time code stamps and

identification labels. After the playlist is complete, the streaming media referenced therein, i.e.,

the content of the playlist, is delivered to the player in the user's browser. When the clip/segment

is an advertisement, it has time code stamps, i.e., duration information).

Response to Arguments

9.   Applicant's arguments with respect to the Kazmi reference have been considered but are

moot in view of the new ground(s) of rejection.

10.   Applicant's arguments regarding the inclusion and uses of the streaming advertisement

parameter and the advertisement placement parameter, as well as the arguments regarding the

timing and placement of the advertisements, have been considered but are moot in view of the

new ground(s) of rejection.

11.   Applicant's arguments regarding Holtz filed April 30, 2010, have been fully considered

but they are not persuasive.

12.   Applicant states that Holtz does not disclose embedding a command into the content

stream. Holtz discloses embedding polling or opinion gathering technologies (see [73:1-15]) and

URL hyperlinks (see [73:16-24]) into the media streams. Embedded commands are interpreted to

include HTML content, which are commands interpreted by the web browser. For example, a

URL hyperlink is a command which directs the browser to load a specified page, anchor tag, or

function call. Accordingly, Holtz discloses embedding a command into the content stream.

13.   Applicant states that Holtz does not disclose a command embedded into a content stream

such that related HTML content is provided in a data frame. Holtz discloses embedding polling

or opinion gathering technologies (see [73:1-15]) and URL hyperlinks (see [73:16-24]) into the

media streams. Embedded commands are interpreted to include HTML content, which are

commands interpreted by the web browser. For example, a URL hyperlink is a command which

directs the browser to load a specified page, anchor tag, or function call. Further, Holtz discloses

displaying the opinion poll in the same frame as the content or a separate frame as discussed with

regards to advertisements (see [73:1-15]), which is displaying HTML content in a data frame.

Accordingly, Holtz discloses a command embedded into a content stream such that related

HTML content is provided in a data frame.

14.   Applicant states that Holtz does not disclose a command embedded into a content stream

that references HTML content related to the content stream. Holtz discloses embedding polling

or opinion gathering technologies (see [73:1-15]) and URL hyperlinks (see [73:16-24]) into the

media streams. Embedded commands are interpreted to include HTML content, which are commands interpreted by the web browser. For example, a URL hyperlink is a command which directs the browser to load a specified page, anchor tag, or function call. Further, Holtz discloses displaying the opinion poll in the same frame as the content or a separate frame as discussed with regards to advertisements (see [73:1-15]), which is displaying HTML content in a data frame. The HTML content, e.g., a poll about the current content being displayed, is related to (or references) the content stream. Accordingly, Holtz discloses a command embedded into a content stream that references HTML content related to the content stream.

15.   Applicant states that Holtz does not disclose the request for the playlist having information that identifies a location of information to configure a frame set on a user computer. Holtz discloses a user selecting certain videos to have streamed and delivering the streaming video to the user (see [70:8-22]). "Information for configuring a frame set" is interpreted to include the information specified by the user in the request—namely, the selected videos. "Information that identifies a location" of this information is interpreted to include any information used to retrieve the videos. The request includes which shows have been selected, and the system uses this information to find, load, and deliver the requested videos. Accordingly, Holtz discloses the request for the playlist having information that identifies a location of information to configure a frame set on a user computer.

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B. Tokarczyk whose telephone number is 571-270-3314. The examiner can normally be reached on Monday-Thursday, 6:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber, can be reached at 571-272-6724. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher B Tokarczyk/
Examiner, Art Unit 3622

/Nathan C Uber/
Examiner, Art Unit 3622